

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

EDWIN VALENCIA,

Plaintiff,

V.

L. MACHADO, et al.,

## Defendants.

No. 1:24-cv-00569-SAB (PC)

## ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED

(ECF No. 18)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42  
§ 1983.

On September 26, 2024, the Court screened Plaintiff first amended complaint, found that Plaintiff stated a cognizable excessive force claim against Defendant Ortega, and granted Plaintiff the opportunity to amend the complaint or file a notice of intent to proceed on the excessive force claim only. (ECF No. 16.) On October 21, 2024, Plaintiff was granted an additional thirty days to respond to the Court’s order. (ECF No. 18.) Plaintiff has failed to file an amended complaint or otherwise respond to the Court’s order and the time to do so has passed. Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause within **fourteen (14)** days from the date of service of this order why this action should not be dismissed for failure to state a cognizable claim, failure to prosecute, and failure to comply with a court order. Plaintiff’s failure to comply with this order will result in a recommendation to dismiss the action for the reasons stated above.

IT IS SO ORDERED.

Dated: **December 2, 2024**

STANLEY A. BOONE  
United States Magistrate Judge

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